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September 17, 2001

Assistant Commissioner for Patents  
**BOX: Missing Parts**  
Washington, DC 20231

Re: Response to Notice to File Missing Parts  
Appl. No. 09/873,409  
Filed: June 5, 2001  
Title: **A Gene Encoding a Multidrug Resistance  
Human P-Glycoprotein Homologue on  
Chromosome 7p15-21 and Uses Thereof**  
Inventor(s): Frank, *et al.*  
Atty. Dkt.: 81994/279322

Sir:

In response to the **Notice to File Missing Parts of Application - Filing Date Granted** dated **July 18, 2001**, Applicant submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. A copy of the Notice to File Missing Parts of Application - Filing Date Granted (1 page);
2. Declaration Under 37 C.F.R. § 1.63 and Power of Attorney, executed by inventors Markus H. Frank and Mohamed H. Sayegh (3 pages);
3. Information Disclosure Statement (2 pages);
4. List of References Cited by Applicant (1 page);
5. References AL1-AO1;



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6. A check in the amount of \$680.00 (**Small Entity status is claimed**) representing the following fees:
  - \$ 355.00 Basic Filing Fee (37 C.F.R. § 1.16(a)),
  - 80.00 2 independent claim in excess of 3 (37 C.F.R. § 1.16(b)),
  - 45.00 5 claims in excess of 20 (37 C.F.R. § 1.16(c)),
  - 135.00 Multiple dependent claim fee (37 C.F.R. § 1.16(d)), and
  - 65.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16(e));
7. Form indicating receipt by the PTO of the above items.

It is respectfully requested that the enclosed Receipt be stamped with the date the enclosed documents are received by the PTO and that it be returned as soon as possible.

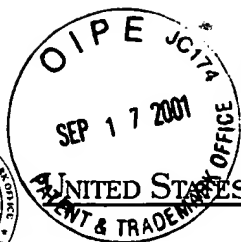
The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment to our Deposit Account No. 03-3975.

Very truly yours,

PILLSBURY WINTHROP LLP

Michael A. Sanzo.  
Attorney for Applicants  
Reg. No. 36,912

MAS:ct  
Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/873,409	06/05/2001	Markus H. Frank	81994/279322

CONFIRMATION NO. 1825

## FORMALITIES LETTER



\*OC00000006312492\*

PILLSBURY WINTHROP LLP  
1100 NEW YORK AVENUE NW  
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WASHINGTON, DC 20005-3918

Date Mailed: 07/18/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/18/2001 SMINASSI 00000086 09873409

01 FC:201	355.00 OP
02 FC:205	65.00 OP
03 FC:203	45.00 OP
04 FC:202	80.00 OP
05 FC:204	135.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$520.
  - \$90 for 5 total claims over 20.
  - \$160 for 2 independent claims over 3.
  - \$270 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1360.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

RECEIVED

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PART 2 - COPY TO BE RETURNED WITH RESPONSE

JUL 19 2001

CL# 81994 MT# 279322  
ATTY(S) MAS  
DUE: 9/18/01  
DKT BY (1) MSA (2) JEH